

# Exhibit 30

4/13/2017

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Honolulu

# HPD: We Don't Have \$250,000 To Give The Chief

Police officials say they likely will need to take money from other public safety programs to satisfy the settlement.

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By Nick Grube    / February 1, 2017

The Honolulu Police Department doesn't have enough money to pay outgoing Chief Louis Kealoha the \$250,000 he and his attorney negotiated as part of a lucrative severance package that has raised eyebrows throughout the city.

On Wednesday, Acting Police Chief Cary Okimoto told the Honolulu Police Commission that HPD didn't have enough money in the current quarterly budget to cover the \$250,000 payment.

The commission approved Kealoha's deal last month, allowing him to retire in "good standing" despite the fact he's been named as a target in an ongoing federal investigation into public corruption and abuse of power.

Okimoto said HPD would have to ask the Honolulu City Council to approve shifting money around in the agency's budget to help cover the costs, although he warned that could result in cuts in other areas.

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Acting HPD Chief Cary Okimoto doesn't like the fact that he has to find an extra \$250,000 in budget.

"Our budget is really tight and we can't afford to use that money to pay any severance package," Okimoto said. "It's already spoken for as far as salaries and equipment."

The acting chief had already voiced his displeasure in a letter to the rank-and-file two weeks ago that laid out his concerns over HPD having to find the \$250,000 in its budget to pay out Kealoha.

The commission, which is made up of seven volunteer members appointed by the Honolulu mayor, is the only entity that can hire or fire a police chief.

Okimoto was asked by Commissioner Loretta Sheehan whether he believed the commission had the authority to force HPD to pay Kealoha, but the acting chief demurred, saying that he

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had no intention of challenging the legality of the decision.

The city charter does not expressly give the commission authority over HPD's budget once it is approved. The charter only says that the commission can review HPD's budget and make recommendations to the mayor.

Questions have also been raised about whether Kealoha's \$250,000 payment should have been approved by the Honolulu City Council, which normally has to sign off on legal settlements.

Police Commission Chairman Max Sword as well as city attorneys, who helped negotiate Kealoha's settlement, have refused to comment on the specific legal authority that allowed them to approve the large payment. Sword has previously said the payout above and beyond Kealoha's normal retirement was in exchange for his promise that he won't sue the city or the commission,

On Wednesday, it wasn't clear where the money will come from and how that might affect public safety operations in Honolulu.

Assistant Chief William Axt told commissioners Wednesday that HPD's concerns were not about the merits of the decision to give Kealoha a large settlement.

Instead, Axt said the department is concerned about where the money will come from in HPD's budget. He reiterated that HPD's funds are already allocated and said that the department will need City Council approval to take money from other places.



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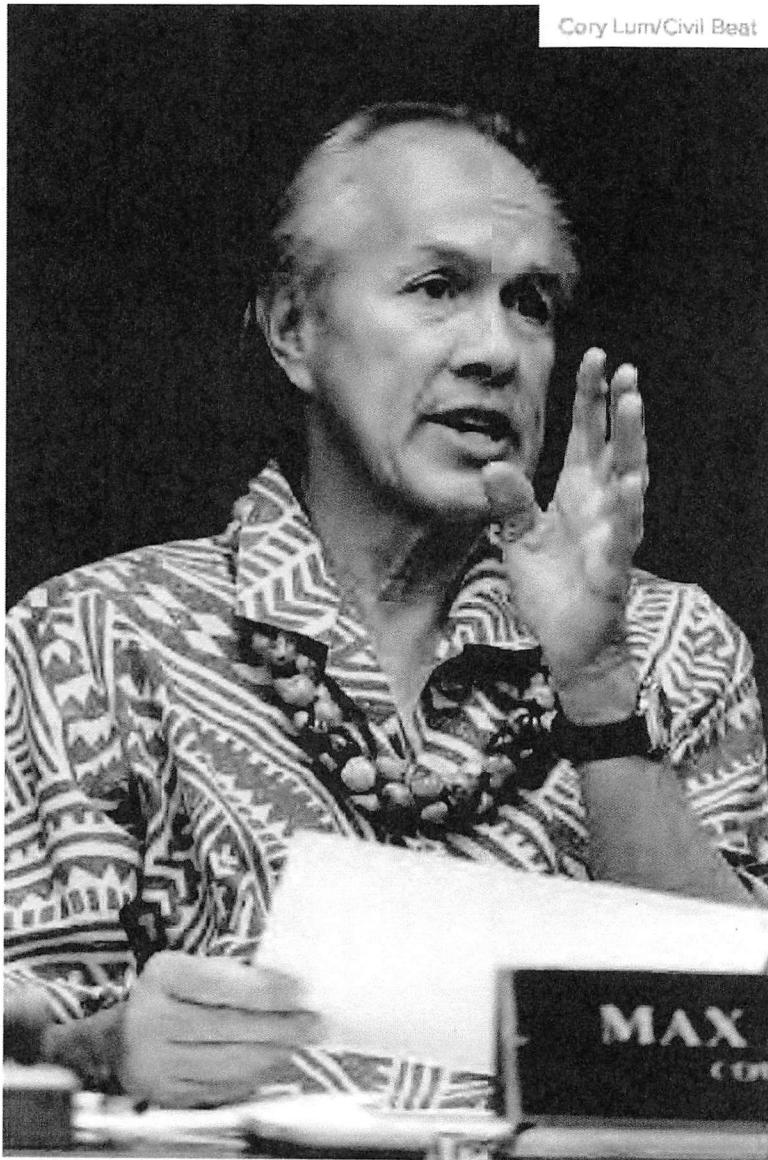
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"We will have to go to council and we will have to ask permission to add to that account," Axt said. "Whether that (money) comes from current expenses by cutting something else we don't know, we have to identify it. Do we stop testing some sex assault kits? Do we stop buying some Tasers or some body cameras?"



Police Commission Chairman Max Sword said the commission stands by its decision on Kealoha's payout.

Sword said he understood the concerns, but he made clear that he didn't want to dwell on the topic.

"I just want to make it clear to everyone that I accept the chief's explanation," Sword said. "He has concerns because of the budgetary nature of the department and I accept that. But we as the commission are responsible for the chief and hence the direction we moved in coming to a settlement. I respect the chief for his concerns, but we're going to move on with the subject matter."

The police commission had a full agenda Wednesday, including getting an update on how HPD will handle a backlog of testing sexual assault kits for possible DNA matches to suspects.

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The commission also discussed the next steps for replacing Kealoha, whose official retirement date is March 1.

Executive Officer Dan Lawrence told the commissioners that they should be prepared to undergo a four- to six-month vetting process that could include hiring an outside consultant and allowing community members to weigh in on candidates to lead HPD, the 20th largest police department in the country.

Commissioners gave preliminary approval to find a consultant to help in the police chief search, which they expect will reach beyond Hawaii's borders. But they also must figure out how to navigate a state law that says that a police chief must have lived in Hawaii for at least a year.

Lawrence told the commissioners that they could discuss the matter with their attorneys in an executive session.

The commission was also expected to take up in executive session a lawsuit recently filed by the Civil Beat Law Center for the Public Interest that seeks to overturn Kealoha's retirement deal.

The commission adjourned without taking any action on either issue.

*The Civil Beat Law Center for the Public Interest is an independent nonprofit organization created with funding from Pierre Omidyar, who is also CEO and publisher of Civil Beat.*

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